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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/416,536	10/12/1999	MICHAEL CARROLL	52817.000075	6286

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EXAMINER

HUYNH, BA

ART UNIT	PAPER NUMBER
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2173

DATE MAILED: 07/23/2003

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/416,536

Applicant(s)

CARROLL, MICHAEL

Examiner

Ba Huynh

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,5,6,8,10,11,13-16 and 18-26 is/are pending in the application.

4a) Of the above claim(s) ____ is/are withdrawn from consideration.

- 5) ☐ Claim(s) ____ is/are allowed.

- 6) ☒ Claim(s) 1,3,5,6,10,11,13-16,18-26 is/are rejected.

- 7) ☐ Claim(s) ____ is/are objected to.

- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

I. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or

on sale in this country, more than one year prior to the date of application for patent in the United States.

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

II. Claims 1, 3, 5-6, 8, 10-11, 13, 15-16, 18, and 20-23, 25-26 are rejected under 35 U.S.C. 102(b) as being anticipated by US patent #5,664,127 (Anderson et al).

- As for claims 1, 6, 11, 16, 21, 25-26: Anderson et al teach a computer implemented system and corresponding method for displaying information in a table 250 in a graphical user interface, the table 250 comprises a plurality of user selectable rows and columns, the selected portion may be non-contiguous (9:19-65; figure 2C), comprising:

a table presentation module (col. 7, line 51, "Notebook and Pages") that present one or more portions of the table 250 in a graphical user interface,

a user selectable graphics presentation module 260 that presents one or more user defined and selectable graphical portions (e.g., the tab or page identifier 261, 8:10-40) in the graphical user interface, each user selectable graphical portion 261 is selectively assigned to the one or

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more user selectable table portions specified by the user (9:53-54; 10:14-26, 38-49 (i.e., selecting cells and designating the selected cell to a page represented by a tab label); 17:1-11).

a user selection module (col. 6, lines 27-50) for enabling the user to select a graphical portion to cause the presentation table to present the table portion associated with the selected graphical portions.

- As for claims 3, 8: The system includes means for selecting a tab 261 and displaying a portion of the table corresponding to the selected tab (col. 8, line 41 "Navigation in a Notebook").

- As for claims 13, 18: The portion comprises one or more rows (figure 2, 3).

- As for claims 5, 10: The user selectable portion comprises data display (figures 4, 5).

The system further comprises an edit module for editing the data (col. 10, line 37, "Advanced Editing").

- As for claims 15, 20: Each user selectable portion is identified by its name (17:1-11; figure 4G, "Salad").

- As for claim 22: The user may select a plurality of table portions (9:10-65).

- As for claim 23: The selected table portion can be in discontinuous order (9:25-33, 56-65).

III. Claims 1, 6, 11, 16, 21, 24-26 are rejected under 35 U.S.C. 102(e) as being anticipated by US patent #6,097,391 (Wilcox).

- As for claims 1, 6, 11, 16, 21, 24-26: Wilcox teaches a computer implemented system and corresponding method for displaying information in a table (figure 3D) in a graphical user interface, the table comprises one or more sheet 304, each sheet includes a tab 308, at least one user selectable row and column (1:45-55; 7:33-36; 16:43-48), comprising:

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a table presentation module that present one or more portions of the table in a graphical user interface,

a user selectable graphics presentation module that presents one or more user defined and selectable graphical portions Zframe 310-313 in the graphical user interface, each user selectable graphical portion 310-313 is selectively assigned to the one or more user selectable table portions specified by the user (7:31 – 8:14; 10:31-47).

a user selection module for enabling the user to select a graphical portion to cause the presentation table to present the table portion associated with the selected graphical portions (8:2-4; 10:47-57).

Claim Rejections - 35 USC § 103

IV. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

V. Claims 14 and 19 are rejected under 35 U.S.C. 103(a) as being unpatentable over Anderson et al.

- As for claims 14, 19: Figures 4A,B show the selecting of a single column and a single row. Anderson et al fail to clearly teach that the presented portion comprises a single row. However since the number of rows in depends on the amount of data needed to be presented in the portion of the table. It would have been obvious to one of ordinary skill in the art, at the time

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of the invention was made, to implement the presenting of the single row portion table data.

Motivation of the implementation is for the simplicity of the editing.

Response to Arguments

REMARKS:

In response to the argument that Anderson does not teach the assigning of a selected table portion to a graphical portion as described in the applicant's specification, although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). In Anderson, the user "assigns" a selected portion of the table to a graphic portion by dragging the selected table portion to the selected tab. It is further note that the name of the selected tab can be assigned by the user (10:14-16; 17:1-11). Per Anderson, the selected table portion, "pages '89 Income – '92 Income" is assigned to the user created tab "Four Year Income". Thus the Anderson disclosure read on the limitation assigning the selected table portion to a selected graphic portion, as claimed.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after

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the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Inquires

Responses to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231. If applicant desires to fax a response, (703) 746-7238 may be used for formal After Final communications, (703) 746-7239 for Official communications, or (703) 746-7240 for Non-Official or draft communications. NOTE: A Request for Continuation (Rule 60 or 62) cannot be faxed.

Please label "PROPOSED" or "DRAFT" for informal facsimile communications. For after final responses, please label "AFTER FINAL" or "EXPEDITED PROCEDURE" on the document.

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huynh-Ba whose telephone number is (703) 305-9794. The examiner can normally be reached on Monday-Friday from 8.00AM to 4.30PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca, can be reached on (703) 308-3116.

All Internet e-mail communications will be made of record in the application file. PTO employees do not engage in Internet communications where there exists a possibility that sensitive information could be identified or exchanged unless the record includes a properly signed express waiver of the confidentiality requirements of 35 U.S.C. 122. This is more clearly set forth in the Interim Internet Usage Policy published in the Official Gazette of the Patent and Trademark on February 25, 1997 at 1195 OG 89.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703) 305-3800.

Huynh-Ba
Primary Examiner
Art Unit 2173

BA HUYNH
PRIMARY EXAMINER